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While the filing of prior art statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 CFR 1.97 through 1.99. To be considered a proper prior art statement, form PTO-1449 shall be accompanied by an explanation of relevance of each listed item, a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all prior art citations submitted in conformance with 37 CFR 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the boxes provided on the form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines and has not been considered. A copy of the submitted form, as reviewed by the examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the examiner will be printed on the issued patent in the same manner as prior art cited by the examiner on form PTO-892.

The reference designations "AA", "AB", etc. (referring to Applicant's reference A, Applicant's reference B, etc.) will be used by the examiner in the same manner as examiner's reference designations "A", "B", "C", etc. on Office Action Form PTC-1142.

August 15, 1980

William Feldman
Deputy Assistant Commissioner
for Patents

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